

## DeMaria, Eva

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**From:** HeldtSheller, Stephanie <SHeldtSheller@nwpipe.com>  
**Sent:** Monday, October 19, 2015 3:42 PM  
**To:** ORR Jim  
**Cc:** MCCLINCY Matt; DeMaria, Eva; Sheldrake, Sean; THIESSEN Kenneth; ROMERO Mike; poulsen.mike@deq.state.or.us; Gretchen.Gee@ch2m.com; Wray, Mike; Claudia Powers; 'Ken.Shump@CH2M.com'; mbm@bhlaw.com  
**Subject:** RE: 138 NWP Revision of 8/31/2015 DEQ Comments for Source Control Evaluation DEQ Response to October 5 2015 Email (Below)  
**Attachments:** 2015-10-19 NWP response to RISCE comments Final.pdf; RE: Meeting Comments and EPA Letter Review Schedule

Good afternoon Jim,

Attached is NWP's response to DEQ & EPA comments, as promised within 2 weeks of the previous email below.

Northwest Pipe Company would like to move forward with our request to have a meeting with DEQ and EPA representatives. I've attached Mike Wray's 8/26/15 email request for your quick reference. Please let us know your earliest available time, and if we can assist in any way in setting up the meeting.

Thanks,  
Steph.

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### Stephanie Heldt-Sheller, CHMM

Corporate Environmental Manager

**Northwest Pipe Company** | 12005 N. Burgard Rd. | Portland, OR 97203 USA

Direct (503) 382 2324 | Cell (419) 283 1890 | Fax (503) 382 2327

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**From:** HeldtSheller, Stephanie  
**Sent:** Thursday, October 08, 2015 10:02 AM  
**To:** 'ORR Jim'  
**Cc:** MCCLINCY Matt; 'DeMaria, Eva'; Sheldrake, Sean; Claudia Powers; 'Ken.Shump@CH2M.com'; THIESSEN Kenneth; ROMERO Mike; Wray, Mike; POULSEN Mike  
**Subject:** RE: 138 NWP Revision of 8/31/2015 DEQ Comments for Source Control Evaluation DEQ Response to October 5 2015 Email (Below)

Thanks Jim.

We look forward to providing you with our response to DEQ's 10/01/2015 Report comments, in the next 2 weeks.

Thank you again,  
Steph.

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### Stephanie Heldt-Sheller, CHMM

Corporate Environmental Manager

**Northwest Pipe Company** | 12005 N. Burgard Rd. | Portland, OR 97203 USA

Direct (503) 382 2324 | Cell (419) 283 1890 | Fax (503) 382 2327

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**From:** ORR Jim [<mailto:orr.jim@deq.state.or.us>]  
**Sent:** Wednesday, October 07, 2015 11:51 AM  
**To:** HeldtSheller, Stephanie  
**Cc:** MCCLINCY Matt; 'DeMaria, Eva'; Sheldrake, Sean; Claudia Powers; 'Ken.Shump@CH2M.com'; THIESSEN Kenneth; ROMERO Mike; Wray, Mike; POULSEN Mike

**Subject:** 138 NWP Revision of 8/31/2015 DEQ Comments for Source Control Evaluation DEQ Response to October 5 2015 Email (Below)

Stephanie,

Please consider my answers to your questions (found below in blue) and provide DEQ with NWP's responses to the Source Control Evaluation (SCE) comments.

DEQ had commented that the report combined the SCE and the upland No Further Action (NFA) evaluation in a report that we found to be confusing. At your request, DEQ has separated the SCE comments from the NFA comments in order to move the SCE process at the site forward as quickly as possible. DEQ had agreed to this request and will look forward to your SCE comment responses.

DEQ will produce comments on the upland NFA evaluation, as soon as possible. However, we will prioritize the review of NWP's SCE responses and the associated SCE process. That said, we still anticipate to provide comments on the upland NFA evaluation within two to three weeks. The submittal of NFA comments or work at the SBIP will not cause delay the SCE work.

Please consider my response to your comments (see below) and if there are additional issues or clarifications you wish to discuss with DEQ then we request that we set up a meeting or conference call to work through them.

Thank You

Jim Orr

DEQ Northwest Region

700 NE Multnomah St. Suite 600

Portland, Oregon 97232

503-229-5039

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**From:** HeldtSheller, Stephanie [<mailto:SHeldtSheller@nwpipe.com>]

**Sent:** Monday, October 05, 2015 3:09 PM

**To:** ORR Jim

**Cc:** MCCLINCY Matt; POULSEN Mike; LIVERMAN Alex; THIESSEN Kenneth; ROMERO Mike; 'DeMaria, Eva'; Sheldrake, Sean; Wray, Mike; 'Ken.Shump@CH2M.com'; Claudia Powers

**Subject:** RE: 138 NWP Revision of 8/31/2015 DEQ Comments for Source Control Evaluation

Jim,

Thank you for your October 5, 2015 response. We remain unclear concerning your clarification of DEQ's Specific Comment 4 as follows:

- (a) You stated ***"Please address this comments [sic] in your response to DEQ No Further Action comments."*** What exactly is NWP supposed to address and when? Please refer to issues 1 and 2 in my email below.
- (b) You stated: ***"A response to this comment is not required to address the source control comments."*** First, if the comment addresses a Site-Wide No Further Action determination (NFA), why is it included in DEQ's response to the source control decision? Second, do you mean that NWP does not need to address the DEQ Specific Comment 4 (second part) at all? What does NWP need to do to satisfy DEQ's comment?

***Please consider our original Comment 4 to be withdrawn from the DEQ SCE comments. No action relative to the SCE process is required at this time.***

***The proposed NFA comment schedule and process is discussed at the beginning of this email.***

- (c) You stated ***“DEQ, at your request has separated the comments for source control and No Further Action. I will provide a schedule for DEQ No Further Action comments by the end of the day October 8<sup>th</sup>.”*** NWP has not requested any specific comments/feedback from the DEQ regarding the NFA. As recently as my 08/25/15 email to you (attached), we state that NWP's top priority is a Source Control determination. Copied and pasted from the attached email: ***“For NWP, the most important action by DEQ is the Source Control Decision. This is our top priority; our main focus. If the site-wide NFA review is slowing the Source Control Decision process, we respectfully ask to please set it aside and focus on the Source Control process.”*** If the DEQ NFA slows down the Portland Harbor Source Control project, we will defer any NFA discussion until after our site has received a Source Control Determination from the DEQ. Please be advised, despite NWP's use of DEQ's definitions of “NFA” and “Source Control Determination,” NWP still expects the Source Control Determination by DEQ to confirm that no further source control action is required at the NWP site.

***As clarified at the beginning of this email, the NFA process will not delay SCE progress.***

***Again, If you have additional issues or clarifications to discuss, please contact me to schedule a meeting or conference call.***

***Thanks Jim Orr***

Thank you,  
Steph.

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**Stephanie Heldt-Sheller, CHMM**

Corporate Environmental Manager

**Northwest Pipe Company** | 12005 N. Burgard Rd. | Portland, OR 97203 USA

Direct (503) 382 2324 | Cell (419) 283 1890 | Fax (503) 382 2327

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**From:** ORR Jim [<mailto:orr.jim@deg.state.or.us>]

**Sent:** Monday, October 05, 2015 12:00 PM

**To:** HeldtSheller, Stephanie

**Cc:** MCCLINCY Matt; POULSEN Mike; LIVERMAN Alex; THIESSEN Kenneth; ROMERO Mike; 'DeMaria, Eva'; Sheldrake, Sean; Wray, Mike; 'Ken.Shump@CH2M.com'; Claudia Powers

**Subject:** RE: 138 NWP Revision of 8/31/2015 DEQ Comments for Source Control Evaluation

Stephanie, Please see my responses below.

*Thank You*

*Jim Orr*

*DEQ Northwest Region*

*700 NE Multnomah St. Suite 600*

*Portland, Oregon 97232*

*503-229-5039*

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**From:** HeldtSheller, Stephanie [<mailto:SHeldtSheller@nwpipe.com>]

**Sent:** Monday, October 05, 2015 11:02 AM

**To:** ORR Jim

**Cc:** MCCLINCY Matt; POULSEN Mike; LIVERMAN Alex; THIESSEN Kenneth; ROMERO Mike; 'DeMaria, Eva'; Sheldrake, Sean; Wray, Mike; 'Ken.Shump@CH2M.com'; Claudia Powers

**Subject:** RE: 138 NWP Revision of 8/31/2015 DEQ Comments for Source Control Evaluation

Hi Jim,

And thank you for the revised comments. The letter states that clarifications are in italics. For revised Specific Comment 4 (second part), we asked for DEQ to please point out the statement in the Report, that triggered this comment. Since that was not provided by the DEQ, we are not sure what the problem is that warranted this DEQ comment. Could you please assist us with the remaining issues below?

Specific Comment 4 (second part) of the DEQ October 1, 2015 revised comments reads as follows:

Section 6.3.1.4 Conclusions for Human Health Risk Screening

Section 6.3.1.3 Human Health Risk Screening Results

Conclusions regarding risks from human exposure to zinc cannot be used as the basis for drawing ecological risk conclusions. Aquatic ecological screening levels for zinc are considerably lower than human health screening levels. Screening should be conducted for both human health and ecological receptors using the appropriate screening values. *The site maximum concentration should be compared with background UPL. This comment will also be addressed in pending No Further Action DEQ comments.*

The issues with this comment are:

- (1) Section 6.3.1.3 does not draw ecological risk conclusions, or discuss aquatic ecological screening levels for zinc. Did you mean to withdraw these statements that are not in italics? Or is there still some issue here that I am missing? If there is an issue, could you please describe what DEQ needs from NWP to satisfy this statement in the comment?
- (2) Section 6.3.1.3 refers to tables 6-9 and 6-10, which already do compare zinc max concentrations, as well as all metals max concentrations, to background UPL's from the "Development of Oregon Background Metals Concentrations in Soil," Table 3, Regional Background Calculations for Metals (attached for your quick reference). Is there something NWP is missing in the tables that DEQ needs in order to satisfy this comment?
- (3) The revised comment states that "This comment will also be addressed in pending No Further Action DEQ comments." When should NWP expect to see the No Further Action DEQ comments?

**[ORR Jim]**

***[ORR Jim] Please address this comments in your response to DEQ No Further Action comments.***

***A response to this comment is not required to address the source control comments.***

***DEQ, at your request has separated the comments for source control and No Further Action.***

***I will provide a schedule for DEQ No Further Action comments by the end of the day October 8<sup>th</sup>.***

Once we get these lingering items rectified, NWP will be able to provide DEQ with a timeline as to when our responses and revised pages to the Report will be provided. DEQ timeliness would be appreciated.

**[ORR Jim]**

***Please provide a timeline for your response to DEQ Source Control comments. Thanks***

Thank you,  
Steph.

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**Stephanie Heldt-Sheller, CHMM**

Corporate Environmental Manager

**Northwest Pipe Company** | 12005 N. Burgard Rd. | Portland, OR 97203 USA

Direct (503) 382 2324 | Cell (419) 283 1890 | Fax (503) 382 2327

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**From:** ORR Jim [<mailto:orr.jim@deq.state.or.us>]

**Sent:** Thursday, October 01, 2015 10:38 AM

**To:** Wray, Mike; 'Ken.Shump@CH2M.com'; HeldtSheller, Stephanie; Claudia Powers

**Cc:** MCCLINCY Matt; POULSEN Mike; LIVERMAN Alex; THIESSEN Kenneth; ROMERO Mike; 'DeMaria, Eva'; Sheldrake, Sean

**Subject:** 138 NWP Revision of 8/31/2015 DEQ Comments for Source Control Evaluation

Attached is a revision to DEQ's 8/31/2015 comments for the NW Pipe Source Control Evaluation.  
Please contact me if you have questions.

*Thank You*

*Jim Orr  
DEQ Northwest Region  
700 NE Multnomah St. Suite 600  
Portland, Oregon 97232  
503-229-5039*